

COUNTY OF SAN DIEGO

2014 SEP 24 PM 3 00 2014 CONFLICT OF INTEREST CODE
BIENNIAL REVIEW REPLY FORM

CLERK OF THE BOARD
OF SUPERVISORS

Contact Person: Nancy Roos Telephone Number: 619-670-0500

Name of Agency: San Miguel Consolidated Fire Protection District

Mailing Address: 2850 Via Orange Way, Spring Valley CA 91978

This agency has reviewed its conflict of interest code and has determined that:

☒ **Amendments are necessary:** (Attach Amended Code)
(Check all that applies)

☒ Include new positions (including consultants) which must be designated

☒ Revise the titles of existing positions

☒ Delete titles of positions that have been abolished

☒ Delete positions that manage public investments

☒ Revise disclosure categories

☒ Other Formally adopt FPPC provisions

☐ **No amendments are necessary.** Our agency's code accurately designates all positions which make or participate in the making of governmental decisions; the disclosure assigned to those positions accurately requires the disclosure of all investments, business positions, interests in real property and sources of income which may foresee-ably be affected materially by the decision made by those designated positions; and the code includes all other provisions required by Government Code Section 87302.

Signature of Chief Executive Officer: [Signature] Date: 9/14/14

You must complete this report regardless of how recently your code was approved or amended. **Please return this report no later than October 1, 2014 to:**

Clerk of the Board of Supervisors
(Conflict of Interest Code)
1600 Pacific Highway, Room 402
San Diego, CA 92101

Approved and/or authorized by the Board of Supervisors of the County of San Diego.	
Meeting Date: <u>12/2/14</u>	Minute Order No. <u>23</u>
By: <u>[Signature]</u>	Date: <u>12/2/14</u>
Deputy Clerk of the Board Supervisors	

CONFLICT OF INTEREST CODE

OF THE

SAN MIGUEL CONSOLIDATED
FIRE PROTECTION DISTRICT

CONFLICT OF INTEREST CODE OF THE SAN MIGUEL CONSOLIDATED FIRE PROTECTION DISTRICT

(Adopted November 12, 2014)

The Political Reform Act (Gov. Code § 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code Regs. § 18730) that contains the terms of a standard conflict of interest code which can be incorporated by reference in an agency's code. After public notice and hearing Regulation 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This incorporation page, Regulation 18730 and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **SAN MIGUEL CONSOLIDATED FIRE PROTECTION DISTRICT (the "District")**.

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **Administrative Assistant** as the District's Filing Officer. The **Administrative Assistant** shall make and retain a copy of all statements filed by the Board of Directors and Fire Chief and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of San Diego. The **Administrative Assistant** shall retain the original statements filed by all other officials and designated positions and will make all retained statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

APPENDIX

CONFLICT OF INTEREST CODE

OF THE

SAN MIGUEL CONSOLIDATED

FIRE PROTECTION DISTRICT

(Adopted November 12, 2014)

PART “A”

District Officials who manage public investments, as defined by 2 Cal. Code of Regs. §18701(b), are NOT subject to the District’s Code but must file disclosure statements under Government Code section 87200 et seq. [Regs. § 18730(b)(3)]

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

It has been determined that the positions listed below are District Officials who manage public investments¹. These positions are listed here for informational purposes only.

Board of Directors
Fire Chief
Administrative Officer/CFO
Financial Consultant

¹ Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Administrative Analyst	4
Battalion Chief	5
Community Outreach Coordinator	7
Deputy Fire Marshal	5, 6
Division Chief	4
General Counsel	1, 2
Logistics Coordinator	5
Consultants and New Positions ²	

² Individuals serving as a consultant as defined in FPPC Regs 18701 or in a new position created since this Code was last approved that makes or participates in making decisions must file under the broadest disclosure set forth in this Code subject to the following limitation:

The Fire Chief may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code §§ 82019; FPPC Regs 18219 and 18734.). The Fire Chief's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Gov. Code § 81008.)

PART "B"

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic interests that the designated position must disclose for each disclosure category to which he or she is assigned.³ Such economic interests are reportable if they are either located in or doing business in the jurisdiction, are planning to do business in the jurisdiction, or have done business during the previous two years in the jurisdiction of the District.

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that do business or own real property within the jurisdiction of the District.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the boundaries of the District.

Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the District.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the designated position's department, unit or division.

Category 6: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, subject to the regulatory, permit, or licensing authority of the designated employee's department, unit or division.

Category 7: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, or income from a nonprofit or other organization, if the source is of the type to receive grants or other monies from or through the District or its subdivisions.

³ This Conflict of Interest Code does not require the reporting of gifts from outside this agency's jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position. (Regs 18730.1)

Resolution 14-12

Resolution of the Board of Directors of the San Miguel Consolidated Fire Protection District Adopting a Conflict of Interest Code Pursuant to the Political Reform Act of 1974 and Rescinding All Previous Codes of the District

WHEREAS, the State of California enacted the Political Reform Act of 1974, Government Code section 81000 et seq. (the "Act"), which contains provisions relating to conflicts of interest which potentially affect all officers, employees and consultants of the San Miguel Consolidated Fire Protection District (the "District") and requires all public agencies to adopt and promulgate a Conflict of Interest Code; and

WHEREAS, the potential penalties for violation of the provisions of the Act are substantial and may include criminal and civil liability, as well as equitable relief which could result in the District being restrained or prevented from acting in cases where the provisions of the Act may have been violated; and

WHEREAS, notice of the time and place of a public meeting on, and of consideration by the Board of Directors of, the proposed Conflict of Interest Code was provided each designated employee and publicly posted for review at the offices of the District; and

WHEREAS, a public meeting was held upon the proposed Conflict of Interest Code at a regular meeting of the Board of Directors on November 12, 2014, at which all present were given an opportunity to be heard on the proposed Conflict of Interest Code.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Miguel Consolidated Fire Protection District that the Board of Directors does hereby adopt the proposed Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the Administrative Assistant, and available to the public for inspection and copying during regular business hours;

BE IT FURTHER RESOLVED that the said Conflict of Interest Code shall be submitted to the Board of Supervisors of the County of San Diego for approval and said Code shall become effective immediately upon said approval of the proposed Conflict of Interest Code as submitted.

BE IT FURTHER RESOLVED that any and all previous Conflict of Interest codes of the San Miguel Consolidated Fire Protection District shall be rescinded upon the effective date of the adopted Code as approved by the Board of Supervisors of the County of San Diego.

APPROVED AND ADOPTED this 12th day of November, 2014 by the following vote:

Ayes: Augustine, Johnston, Kiel, McMillan, Nelson, Rickards, Winter

Noes: None

Absent: None

Abstain: None

Attest:

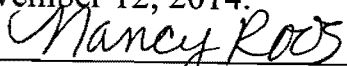


Recording Secretary



David K. Rickards, Board President

I, Nancy Roos, certify that this is a true and correct copy of the original resolution adopted by the Board of Directors of the San Miguel Consolidated Fire Protection District on November 12, 2014.



Nancy Roos, Board Recording Secretary



**SAN MIGUEL CONSOLIDATED FIRE PROTECTION DISTRICT
NOTICE OF INTENTION TO ADOPT A
CONFLICT OF INTEREST CODE**

NOTICE IS HEREBY GIVEN that the Board of Directors of the San Miguel Consolidated Fire Protection District intends to adopt a Conflict of Interest Code pursuant to Government Code Section 87300.

A conflict of interest code designates those employees, members, officers and consultants who make or participate in the making of decisions which may affect financial interests, who must disclose those interests in financial disclosure statements, and who must disqualify themselves from making or participating in the making of governmental decisions affecting those interests. The District's new Code will remove officials who manage public investments, remove titles of positions not required to file disclosure statements, revise disclosure categories to require disclosure of interests based on duties of positions, and adopt 2 Cal. Code of Regulations 18730 as the Code's provisions.

The proposed Conflict of Interest Code will be considered by the Board of Directors on November 12, 2014, at 5:30 p.m. at San Miguel Fire District, 2850 Via Orange Way, Spring Valley, California. Any interested person may be present and comment at the public meeting or may submit written comments concerning the proposed Code. Any comments or inquiries should be directed to the attention of Nancy Roos, Administrative Assistant, San Miguel Consolidated Fire Protection District, 2850 Via Orange Way, Spring Valley, CA 91978; (619) 670-0500. Written comments must be submitted no later than November 12, 2014 at 5:30 p.m.

The proposed Code may also be reviewed at, and copies obtained from, the Administrative Assistant.

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